

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1951

1 WHEREAS, Hartland Homes, Inc. has submitted an application designated
2 as Special Permit No. 1951 for authority to develop Hartland Homes Southwest Community
3 Unit Plan on property located at S.W. 27th Street and South Street, and legally described
4 to wit:

5 Lots 38 and 39 I.T., and all of Blocks 13, 14, 15, 16, 17, 18, 19,
6 and 20, and Lots 1 through 5, Block 37, and all of Block 38, 39,
7 and 40, Hawthorne Addition together with adjacent streets and
8 alleys, except for Southwest 27th Street, West South Street,
9 and the east-west alley of Block 37, all being located in the
10 West Half of the Northwest Quarter of Section 33, Township
11 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster
12 County, Nebraska, more particularly described as follows:

13 Beginning at the northwest corner of said Lot 38 Irregular tract,
14 said point being on the west line of said West Half of the
15 Northwest Quarter; thence on the north line of said Lot 38, on
16 an assigned bearing of north 89 degrees 41 minutes 55
17 seconds east, 1326.76 feet to the northeast corner of said Lot
18 38; thence on the east line of said West Half, south 00 degrees
19 10 minutes 26 seconds east, 1784.05 feet, to a point on the
20 north line of West South Street; thence on said north line,
21 south 89 degrees 28 minutes 03 seconds west, 1036.21 feet,
22 to a point on the west line of Lowell Avenue; thence on said
23 west line, north 00 degrees 31 minutes 03 seconds west,
24 139.00 feet, to a point on the north line of the east-west alley
25 in Block 37 extended easterly; thence on said north line of
26 alley, south 89 degrees 28 minutes 03 seconds west, 261.00
27 feet, to a point on the east line of Southwest 27th Street;
28 thence on said east line, north 00 degrees 31 minutes 03
29 seconds west, 459.01 feet, to the northwest corner of said
30 Block 20; thence continuing on said east line, north 00 degrees
31 27 minutes 08 seconds west, 365.26 feet, to the centerline of
32 Poplar Street; thence on said centerline of Poplar Street, south
33 89 degrees 28 minutes 03 seconds west, 26.72 feet, to a point

1 on the west line of said West Half of the Northwest Quarter;
2 thence on said west line, north 00 degrees 00 minutes 00
3 seconds east, 826.13 feet, to the point of beginning, said tract
4 containing an area of 53.02 acres, more or less;

5 WHEREAS, the real property adjacent to the area included within the site
6 plan for this community unit plan will not be adversely affected; and

7 WHEREAS, said site plan together with the terms and conditions hereinafter
8 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
9 Code to promote the public health, safety, and general welfare.

10 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
11 Lincoln, Nebraska:

12 That the application of Hartland Homes, Inc., hereinafter referred to as
13 "Permittee", to develop Hartland Homes Southwest Community Unit Plan, on the property
14 legally described above, be and the same is hereby granted under the provisions of
15 Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
16 construction and operation of said community unit plan be in strict compliance with said
17 application, the site plan, and the following additional express terms, conditions, and
18 requirements:

19 1. This permit approves 120 multiple family units, 186 single family units
20 and 59 unassigned units for a total of 365 dwelling units.

21 2. Before receiving building permits:

22 a. The Permittee must submit a revised and reproducible final
23 plan including five copies.

24 b. The construction plans must conform to the approved plans.

1 c. Final plats with the area of this community unit plan must be
2 approved by the City.

3 3. Before occupying the dwelling units, all development and construction
4 must be completed in conformance with the approved plans.

5 4. All privately-owned improvements must be permanently maintained
6 by the owner or an appropriately established homeowners association approved by the City
7 Attorney.

8 5. The site plan approved by this permit shall be the basis for all
9 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
10 elements, and similar matters.

11 6. The terms, conditions, and requirements of this resolution shall be
12 binding and obligatory upon the Permittee, its successors, and assigns. The building
13 official shall report violations to the City Council which may revoke the special permit or
14 take such other action as may be necessary to gain compliance.

15 7. The Permittee shall sign and return the City's letter of acceptance to
16 the City Clerk within 30 days following approval of the special permit, provided, however,
17 said 30-day period may be extended up to six months by administrative amendment. The
18 City Clerk shall file a copy of the resolution approving the special permit and the letter of
19 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
20 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2002:

Mayor